

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MEMORANDUM OPINION

The Magistrate Judge entered a Report and Recommendation (Doc. #7) on August 14, 2009, recommending that Movant's petition to vacate, set aside or correct a sentence, filed pursuant to 28 U.S.C. § 2255, be denied. Movant filed objections to the Report and Recommendation on August 31, 2009. (Doc. #8).

The court has considered the entire file in this action, together with the Report and Recommendation and Movant's objections, and has reached an independent conclusion that the Report and Recommendation is due to be adopted and approved. Accordingly, the court hereby **ADOPTS** and **APPROVES** the findings and recommendation of the magistrate judge as the findings and conclusions of the court.

The motion to vacate is due to be denied. An appropriate order will be entered.

DONE and **ORDERED** this 28th day of September, 2009

R. O. D.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE